

MINUTES OF THE BOARD OF SHERIDAN COUNTY COMMISSIONERS

The Board met at 9:00 a.m., January 19, 2010, in regular session at Sheridan College, Sheridan, Wyoming. Chairman Steve Maier called the meeting to order and led everyone in the Pledge of Allegiance. Members present were Commissioners Terry Cram, Steve Maier, Mike Nickel and Bob Rolston. Commissioner Tom Ringley was absent.

CONSENT AGENDA

There being no public comment on the Consent Agenda as read, the Board approved the Consent Agenda and authorized the Chairman to sign documents as required.

- a. Minutes of regular session, January 5, 2010;
- b. Affirm approval of Resolution 10-01-002, authorizing grant submission for WYDOT Congestion Mitigation Air Quality (CMAQ) funding for County's 2010 road dust suppression projects.

AGENDA

The Board added an advertised public hearing to receive comments on its 2010 dust suppression projects through CMAQ funding. The agenda was approved as amended.

ANNOUNCEMENTS

Commissioner Nickel advised that Commissioner Ringley was absent due to his attendance at a funeral.

PUBLIC COMMENTS

City of Sheridan Councilor John Heath invited the Commissioners to the City's work session on the proposed MDU rate increase at 11:00 a.m., January 27, 2010. He said Bryce Freeman, Wyoming State Consumer Advocate's Office, would be present to comment.

Bob Benjamin, Weed and Pest Control District, reported that the January 12 workshop on grasshopper control was well received. He said the Weed and Pest District board had budgeted for 175,000 acres of spray. Landowners constituting 143,000 acres have already signed up. This does not include State or BLM land. He commented that BLM funding for sage grouse may affect grasshopper spraying, but the State Department of Agriculture may be receiving more funds for spraying. The District will pay 80% of the chemical and 50% of the application for spraying. The District will pay 80% of the chemical if the landowner does the application.

In response to a question, Mr. Benjamin said it costs more to spray small blocks of land due to the application method. He said it is not very effective on small lots, but if timed right, could save some crop production. He noted there are many kinds of grasshoppers, but the migratory type causes the most damage. The 2008 infestation was huge due to the climate conditions. Hopefully, that will not be the same this year. He does not expect any cutback in other Weed and Pest District programs.

ROAD DUST SUPPRESSION

Chairman Maier opened the advertised public hearing at 9:14 a.m. to receive comment on the County's 2010 program. Grants Administrator Mike Mackey reported that the County proposes to apply magnesium chloride to 16 roads for a total of 114.5 miles. The chloride addresses the dust issue and extends the life of the road. Mr. Mackey said Sheridan County is out of attainment for PM-10 due as a result of the City's use of sand on streets which generates fine particle dust. This condition mandates a DEQ review for any new business.

Commissioner Rolston asked Councilor Heath whether the City had purchased a new sweeper. He said yes, they had, and that salt application was not a preferred alternative to sweeping. No one else spoke to this issue and the hearing was closed at 9:19 a.m. The Board approved the 2010 dust suppression projects.

CROSS CREEK II MINOR SUBDIVISION; S-09-001M

Land Development Coordinator Robin DeBolt advised that the Larry Warren Living Trust property is zoned Rural Residential with four lots proposed; lots 1 and 2 will be accessed off Box Cross Road and lots 3 and 4 accessed off Cross Creek Court. She said DEQ had requested notes 7 and 8 which are indicated on the plat. Ms. DeBolt said the property is located within a Class 5 groundwater vulnerability area, but the application was submitted prior to adoption of the freeze on such development. The Board approved the Cross Creek II Minor Subdivision with the following conditions:

1. Building permits and inspections shall be required.
2. A note shall be added to the plat stating that the Public Works Department shall withhold issuing building permits in the subdivision until the County Engineer has approved the improvements to the cul-de-sac.
3. The owner's name on the plat shall be amended to reflect the change in the signatory requirements under the trust documents due to the passing of Larry Warren.

SANDSTONE SUBDIVISION; S-09-002

Ms. DeBolt reported this subdivision is proposed by Edward and Rosemary Schunk on property zoned Rural Residential consisting of 35.51 acres. The 11-lot subdivision would be accessed off Upper Road and is located within the low residential area of the future land use map adopted in December of 2008. Ms. DeBolt said the Planning and Zoning Commission approved the preliminary plat with no adjustments and recommended approval of the final plat. She commented that DEQ has requested two notes be added to the plat. She said the applicant has agreed to the withholding of signatures on the plat in lieu of a letter of credit until improvements have been completed and approved by the County Engineer. No transfer of lots will be done until the plat is recorded. The applicants and their engineer were present. Commissioner Cram asked whether water is attached to the land. Bill Pugh, Centennial Collaborative, said yes and the documentation has been submitted to the State for approval. The Board approved the Sandstone Subdivision with the following conditions:

1. Prior to the County signing the plat mylar, the following notes shall be added to the final plat:
 8. Proposed leach field sites need to be checked for groundwater prior to installation. Minimum separation distances and requirements, as set forth in Chapter 11, Section 35.a.i, Table 2, Wyoming Water Quality Rules and Regulations, should be followed.
 9. Each lot shall be required to have a minimum number of three percolation tests conducted and one excavation pit dug in the area of the proposed leach field prior to the issuance of a Permit to Construct in accordance with Wyoming Department of Environmental Quality and Sheridan County rules and regulations.
2. Prior to starting the subdivision improvements, the applicant shall work with the County Engineering staff on the access off of Upper Road, CR #113.
3. Prior to starting the subdivision improvements, the applicant shall enter into the standard Sheridan County subdivision agreement provided by the County. The agreement states that the applicants have requested the County to withhold signatures on the plat until the improvements have been installed and accepted by the County Public Works Department.
4. The applicant shall finalize all improvements and record the plat within 24 months of the Board of County Commissioners approval of the final plat.
5. Building envelopes noted on the final plat are a private covenant arrangement. Sheridan County will not be liable nor responsible for assuring compliance with enforcing this covenant.

WASTE WATER TREATMENT

Public Works Director Rod Liesinger said the Intergovernmental Agreement for the Sheridan Wastewater Treatment Facilities between the City of Sheridan and Sheridan County was originally signed in 1985 and needs to be amended. He said the 201 Sewer Service Area is commonly known as the 201 boundary. The Intergovernmental Agreement details how both governments collaboratively manage wastewater disposal issues, and which is now not consistent with the adopted Sheridan Joint Planning Area Land Use Plan and the Sheridan County Comprehensive Plan Urban Service Area. Mr. Liesinger said the new Urban Service Area represents where the City can realistically provide both water and sewer service within the anticipated 20-year outlook of the plans. The City has had the area surveyed and described. The amended boundary would closely match the Urban Services Area boundary. He said the document needs further review and updating. The Board approved Resolution 10-01-001, authorizing the chairman to sign the amended Intergovernmental Agreement to reflect the change to the service boundary.

RESOLUTION 10-01-001

A RESOLUTION amending the “Intergovernmental Agreement for The Sheridan Wastewater Treatment Facilities between the City of Sheridan and Sheridan County” to adjust the service area boundary.

Whereas, "The City of Sheridan and Sheridan County entered into an Intergovernmental Agreement for The Sheridan Wastewater Treatment Facilities between the City of Sheridan and Sheridan County" on April 23, 1986; and

Whereas, within the Intergovernmental Agreement a sewer service area boundary was established; and

Whereas, the sewer service area boundary is commonly referred to as the 201 boundary; and

Whereas, the City of Sheridan and Sheridan County, Wyoming adopted the Sheridan Joint Planning Area Land Use Plan and Sheridan County Comprehensive Plan; and

Whereas, within the Sheridan Joint Planning Area Land Use Plan and Sheridan County Comprehensive Plan, an Urban Service Area was established; and

Whereas, the City of Sheridan has determined that adequate capacity is available within the existing wastewater collection system; and

Whereas, the Urban Service Area Boundary has been legally described within "Exhibit A" by a Professionally Licensed Surveyor in the State of Wyoming, dated December 10, 2009.

BE IT RESOLVED BY THE SHERIDAN COUNTY COMMISSIONERS THAT:

The "Intergovernmental Agreement for The Sheridan Wastewater Treatment Facilities between the City of Sheridan and Sheridan County" is hereby amended such that the Sewer Service Area Boundary, commonly referred to as the 201 boundary, concurs with the Sheridan Joint Planning Area Land Use Plan and Sheridan County Comprehensive Plan Urban Service Area as described within the attached Exhibit A.

PASSED, APPROVED, AND ADOPTED BY SHERIDAN COUNTY COMMISSIONERS this 19th day of January, 2010.

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming
/s/Steve Maier, Chairman

Attest:
/s/Audrey Koltiska, County Clerk

STATE OF WYOMING)
)
COUNTY OF SHERIDAN)

On this 19th day of January, 2010, before me personally appeared Steve Maier, being first duly sworn, did say that he is the Chairman of the Board of County Commissioners, for Sheridan County, Wyoming and that this instrument was signed and sealed on behalf of the said County by authority of said Board and he acknowledged said instrument to be the free act and deed of said Board.

WITNESS my hand and official seal.

/s/Carla I. Raymond, Notary Public

My Commission expires April 22, 2011

JUVENILE JUSTICE

Mr. Mackey stated Volunteers of America has a cooperative agreement with the Office of Juvenile Justice and Delinquency Prevention. Under this agreement, the County has received its full allocation under grant award No. 2007-JF-FX-K001, however, the

agreement needs to be amended to extend the expiration date to September 30, 2010. The extra time will allow for any final reporting on the grant. The Board authorized the Chairman to sign the Sub-Award Agreement with Volunteers of America relative to this grant.

COUNTY ROADS

The Board authorized the chairman to sign the agreement with Sheridan County Weed and Pest Control District for weed spraying on approximately 40 miles of Sheridan County roads for a term to June 15, 2010, at \$32 a road mile.

LAND USE FEE SCHEDULE

Upon a request by the Public Works Department, the Board amended the Land Use Fee Schedule to reflect a \$100 correction increase to the fee listed under Building Permits, at the \$50,001 to \$100,000 valuation level, which should read “\$698 for the first \$50,000...”

Sheridan County Land Use Fee Schedule

Application fees are based upon the estimated cost of processing the application (Staff time, advertising, and overhead). All applications shall be accompanied by the applicable fee(s) as set by the Board of County Commissioners. These fees shall be revised periodically by the Board of County Commissioners.

Zoning Permit (Refer to *Rules and Regulations Governing Zoning, Sheridan County, Wyoming*, current version)

	<u>Fee</u>
Zoning Certificate	\$150.00
Rezoning Base	\$600.00
Rezoning Each Acre >50 Acres	\$ 10.00
Conditional Use Permit	\$450.00
Variance	\$450.00
Quarry Permit	\$350.00

Subdivision (Refer to *Rules and Regulations Governing Division of Land in Sheridan County*, current version)

Minor Subdivision Base	\$550.00
Plus Minor Subdivision Each Lot	\$ 50.00
Preliminary Plat	\$400.00
Major Subdivision Permit Base	\$550.00
Plus Subdivision Permit Each Lot	\$ 50.00
Parcel Division	\$450.00
Replat	\$150.00
Replat Each Lot	\$ 25.00
Cooperative Base	\$150.00
Plus Cooperative Each Lot	\$ 25.00
Corrected Plat	\$100.00

Planned Unit Development

(Refer to *Rules and Regulations Governing Planned Unit Development, Sheridan County, Wyoming*, current version)

Schematic	\$700.00
Final	\$700.00

Mobile Home Parks

(Refer to *Rules and Regulations Governing Mobile Home Parks, Sheridan County, Wyoming*, current version)

Mobile Home Park Permit	\$ 50.00
Fire District Fee	\$100.00
Annual Renewal Base	\$125.00
Plus Annual Renewal Each Unit	\$ 10.00
Transfer of Ownership	\$125.00

***Building Permit** (Refer to *Building Standards, Sheridan County, Wyoming*, current version)

<u>Valuation</u>	
\$5,000 - \$25,000	\$76 for the first \$2000 plus \$15.50 for each additional \$1000 or fraction thereof, to and including \$25,000
\$25,001 - \$50,000	\$431 for the first \$25,000 plus \$11 for each additional \$1000 or fraction thereof, to and including \$50,000
\$50,001 - \$100,000	\$698 for the first \$50,000 plus \$7.75 for each additional \$1000 or fraction thereof, to and including \$100,000
\$100,001 - \$500,000	\$1093 for the first \$100,000 plus \$6.00 for each additional \$1000 or fraction thereof, to and including \$500,000
\$500,001 - \$1,000,000	\$3557 for the first \$500,000 plus \$5.25 for each additional \$1000 or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$6169.50 for the first \$1,000,000 plus \$4.00 for each additional \$1000 or fraction thereof

*Fees are due prior to issuance of a building permit; plan review fee is set at 47% of the building permit fee.

Driveway/Approach Permit (Refer to *Road Construction Standards, Sheridan County, Wyoming*, current version)

\$ 50.00

Right of Access into Public Right-of-Way

(Refer to *Road Construction Standards, Sheridan County, Wyoming*, current version)

A. Open Trench Installation/Repair	\$600.00 plus \$6.00 per foot
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	Perpendicular to roadway centerline	
B.	Open Trench Installation/Repair	\$600.00 plus \$2.40 per foot
	Parallel to roadway centerline	
C.	Plowed	\$600.00 plus \$.25 per foot
D.	Overhead	\$600.00 plus \$.25 per foot
	With poles or structures in County ROW	
E.	Overhead	\$150.00 plus \$.25 per foot
	Without poles or structures in County ROW	
F.	Bored	\$150.00 plus \$.25 per foot

Flood Plain Permit (Refer to *Flood Hazard Standards, Sheridan County, Wyoming*, current version)
\$100.00

Septic System Permit (Refer to *Rules and Regulations Governing Waste Water Facilities*, current version)
\$200.00

FIRE PROTECTION DISTRICTS

The Board concurred with the action of the Sheridan Area Rural Fire Protection District board to accept the entry of twelve properties into its District, adjusting its boundary, and that no additional directors are needed at this time. The properties are: Clinton and Jo Fay, trustees, 28 East Ridge Road, R10746; Paul R. Lewis dba Lewis Holding Company, Inc., 1407 KROE Lane, R10775; Maxine Shosten, 1649 KROE Lane, R10755; Leemon and Cathy Streeter, 307 Skinner Street, R11405; Leemon and Cathy Streeter, 375 Skinner Street, R11407; Allen and Dollie Brooks, Lots 1-2, Block 8 of Woods Addition, R11394; Susan A. Puckett, property as described, R22601; Susan A. Puckett, 829 Delphi, R11796; Susan A. Puckett, 82 Peno Road, R5526; George P. Fletcher, 10 Wildcat Road, R10741; Fletcher Construction Company, property as described, R28170; CNZ Corporation, 932 KROE Lane, R11380.

The Board concurred with the action of the Story Rural Fire Protection District board to accept the entry of one property into its District owned by James R. Phillips and Elwin W. Phillips dba Winfield Ranch, LLC, R3383, adjusting its boundary, and that no additional directors are needed at this time.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:43 a.m.

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming

Attest:

Steve Maier, Chairman

Audrey Koltiska, County Clerk